

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7615
BILL NUMBER: HB 1562

NOTE PREPARED: Jan 8, 2003
BILL AMENDED:

SUBJECT: Enhanced Penalties for Certain Offenses.

FIRST AUTHOR: Rep. Moses
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State

Summary of Legislation: The bill provides that a person convicted of an offense involving the use of a firearm or destructive device may receive an additional term of imprisonment. It prohibits a person sentenced to an additional fixed term from: (1) receiving a suspended sentence; (2) receiving credit time; or (3) being assigned to a community transition program.

Effective Date: July 1, 2003.

Explanation of State Expenditures: The bill requires the court to impose an additional fixed-term sentence when a jury or court find that the offender knowingly or intentionally used a firearm or destructive device in the commission of the offense. The additional fixed-term sentence would be based on prior convictions; one prior conviction would add a term of 10 years, two prior convictions would be 20 years, and three prior convictions would result in life imprisonment without parole. There are no data available to indicate how many offenders would be convicted under these provisions. To the extent that offenders would serve additional terms of incarceration which would not be reduced by a suspended sentence, credit time, or removal to a community transition program, costs of incarceration for the state would increase.

The average expenditure to house an adult offender was \$25,087 in FY 2001. Individual facility expenditures ranged from \$18,520 to \$54,465. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Indiana Sheriffs Association, Department of Correction.

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